

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JANE DOE #1, a minor,
by her mother and next friend, JANE DOE #2,
Plaintiffs,

Case No.: 2:23-cv-876

v.

MUKWONAGO AREA SCHOOL DISTRICT,
and JOSEPH KOCH, in his official capacity as
Superintendent of Mukwonago Area School District,
Defendants.

DEFENDANT'S MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to General Local Rule 79(d), Defendants respectfully seek leave to file the following documents under seal:

- An unredacted version of Exhibit 1 to the Declaration of Joel S. Aziere.

This document is the individualized educational program (IEP) for Jane Doe #1. This document contains the unredacted names of Jane Doe #1 and Jane Doe #2, who have filed this action under pseudonyms pursuant to Civil Local Rule 10(c). In addition, Jane Doe #1 is a minor and this District's rules require the redaction of minors' names. Redaction of this document to only the initials of Jane Doe #1 and Jane Doe #2 would be insufficient because it would have the effect of revealing the identity of Jane Doe #1. And, the Court has previously granted Plaintiff's motion to file under seal similar unredacted versions of documents containing the names of Jane Doe #1 and Jane Doe #2.

Furthermore, the IEP constitutes a pupil record protected from public disclosure under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g. FERPA restricts the disclosure of personally identifiable information from a student's education records without the

consent of the parent or eligible student. Because every portion of the IEP constitutes a pupil record, redaction would not be sufficient for protecting the interests of Plaintiff or complying with FERPA.

Defendants therefore request the Court grant this motion for leave to file Exhibit 1 to the Declaration of Joel S. Aziere under seal.

Dated this 28th day of July, 2025.

Respectfully Submitted,

BUELOW VETTER BUIKEMA OLSON
& VLIET, LLC

/s/ Joel S. Aziere

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